

EXHIBIT 6

In the United States District Court
For the Northern District of Texas
Dallas Division

John T. Lamont and Preston
Poulter
Plaintiffs

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No. 3:21-cv-1176-K-BN

v.

Dean Assaf et al.
Defendants

Affidavit of Jeremy M. Masten

STATE OF TEXAS §

COUNTY OF BELL §

Before me, the undersigned authority, personally appeared Jeremy M. Masten, who being by me duly sworn, stated on his oath as follows:

1. “My name is Jeremy M. Masten. I am over 18 years of age and competent to make this declaration. The facts stated herein are true and correct and are within my personal knowledge.

2. I am an attorney representing Plaintiffs John T. Lamont and Preston Poulter in the above-captioned matter. I have reviewed the documents attached to Plaintiff’s response to Defendant Dean Assaf’s motion to dismiss, to which this declaration is attached.

3. The document marked as PX 1 is a true and correct copy of each of the four search results for the mark “Comicsgate” from the Trademark Electronic Search System operated by the United States Patent and Trademark Office.

4. The document marked as PX 2 is a true and correct copy of the docket for Cancellation No. 92075375, pending before the Trademark Trial and

Appeal Board, as of September 12, 2021.

5. The document marked as PX 3 is a true and correct copy of the Order & Reasons entered as Doc. 52 on June 15, 2011, by the district judge in *Southern United States Trade Association v. Unidentified Parties*, Civil Action No. 10-1669, in the United States District Court for the Eastern District of Louisiana.

6. The document marked as PX 4 is a true and correct copy of the Order Granting Agreed Stipulation of Dismissal with Prejudice, entered as Doc. 63 on December 23, 2020, in *Richard Meyer v. Mark Waid*, No. 1:18-cv-800-DAE, in the United States District Court for the Western District of Texas.

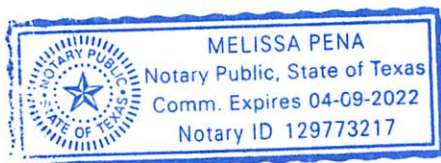
7. The document marked as PX 5 is a true and correct copy of the Report and Recommendation of the United States Magistrate Judge, entered as Doc. 26 on June 10, 2019, in *Richard Meyer v. Mark Waid*, No. 1:18-cv-800-DAE, in the United States District Court for the Western District of Texas.”


Further affiant sayeth naught.



Jeremy M. Masten

The foregoing instrument was acknowledged before me on the 20th day of September, 2021, by Jeremy M. Masten, who is personally known to me.





Notary Public
In and for the State of Texas